

The New York City Police Department (NYPD) has closed your FOIL request FOIL-2018-056-13564 for the following reasons:

The requested documents were previously sent to you via email.

Concerning the listed contracts: In regard to the document(s) which you requested, this unit is unable to locate records responsive to your request based on the information you provided.

Concerning the remainder of the request: In regard to the document(s) which you requested, I must deny access to these records on the basis of Public Officers Law Section 87(2)(e)(iv) as such information, if disclosed, would reveal non-routine techniques and procedures. In regard to the document(s) which you requested, I must deny access to these records on the basis of Public Officers Law section 87(2)(g) (iii) as such records/information are inter-agency or intra-agency materials which are not final agency policy or determinations.

In regard to the document(s) which you requested, I must deny access to these records on the basis of Public Officers Law Section 87(2)(i) as such information, if disclosed, would jeopardize the capacity of an agency or an entity that has shared information with an agency to guarantee the security of its information technology assets, such assets encompassing both electronic information systems and infrastructures.

You may appeal the decision to deny access to material that was redacted in part or withheld in entirety by contacting the agency's FOIL Appeals Officer: foilappeals@nypd.org within 30 days.

Request Information:

Request Title: Social media, NYPD

Request Description:

To Whom It May Concern:

Pursuant to the New York Freedom of Information Law, I hereby request the following records:

Media reports consistently suggest that police departments around the country monitor activity on social media in order to assist with law enforcement efforts. Therefore, I request the following records:

- All records regarding the purchase of, acquisition of, installation of, subscription to, payment for, or agreements concerning software designed to access information from social media services.
- Any and all contracts (as well as all associated amendments, exhibits, and materials), memorandums of understanding, and other equivalent agreements entered into by this agency with any software or equipment company providing services related to social media surveillance, including but not limited to:
 - BrightPlanet
 - Geofeedia
 - Intrado Inc.
 - LifeRaft
 - Magnet Forensics
 - Media Sonar
 - Signal Corporation
- ZeroFOXResponsive materials should include but not be limited to:
 - The initial Invitation to Bid, Request for Proposal, or equivalent call for contractors.
 - The responsive materials provided by the winning bidder.
 - Other bidder responses.
 - The current contract.
 - All exhibits.

- All amendments.
- All performance work statements.
- All deliverables inventories.
- All invoices related to the deliverance of software, services, or goods. Please also include:
 - All records that contain any information about the functioning of software designed to access information from social media services that is used or has been used by this agency;
 - All records regarding correspondence about or with a company that offers software designed to access information from social media services, including but not limited to all correspondence about or with the companies Brightplanet, Geofeedia, Intrade Inc, LifeRaft, Magnet Forensics, Media Sonar, Signal Corporation, and ZeroFOX;
 - All policies related to the acquisition and use of social media by individual officers and representatives of this agency, including all records regarding the policies that govern access to or use of software designed to access information from social media services;
 - All training materials and all records used to instruct members of your agency in the proper use of software designed to access information from social media services or of the information such software is capable of accessing;
 - All records regarding the sharing with entities outside this agency of information obtained from or obtained by using software designed to access information from social media services;
 - All policies related to the acquisition and use of social media surveillance software by individual officers and representatives of this agency;
 - All records referencing social media profiles, comments, posts, messages, or events accessed or retained from social media services through use of software designed to access information from social media services. • All materials related to the use of any other social media platform, including but not limited to Facebook, Instagram, Twitter, Nextdoor, etc. The requested documents will be made available to the general public, and this request is not being made for commercial purposes. It will be used in the course of reporting for Motherboard, VICE's science and technology website (www.motherboard.vice.com). The requested documents will be made available to the general public, and this request is not being made for commercial purposes. In the event that there are fees, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. I would prefer the request filled electronically, by e-mail attachment if available or CD-ROM if not. Thank you in advance for your anticipated cooperation in this matter. I look forward to receiving your response to this request within 5 business days, as the statute requires.

Sincerely, Caroline Haskins